

***Case No COMP/M.3265 -  
AMCOR / AMCOR  
FLEXIBLES EUROPE***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 25/09/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, **25/09/2003**

SG (2003) D/**231954**

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the Notifying Party**

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.3265 – Amcor / Amcor Flexibles Europe  
Notification of 22/08/2003 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Communities No. C 205,  
30/08/2003, page 4.**

1. On 22/08/2003, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89, as last amended by Regulation (EC) No 1310/97, by which the Australian undertaking Amcor Limited ("Amcor") acquires within the meaning of Article 3(1)(b) of the Council Regulation sole control of the whole of the British undertaking Amcor Flexibles Europe A/S ("AFE") by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - Amcor: packaging, including corrugated boxes, flexible packaging, closures, aluminium cans, PET containers and folding cartons,

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<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

- AFE: flexible packaging products.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
  4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,

*(signed)*  
Mario MONTI  
Member of the Commission

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.